

**EXHIBIT E**



Portfolio Media, Inc. | 111 West 19th Street, 5th floor | New York, NY 10011 | www.law360.com  
Phone: +1 646 783 7100 | Fax: +1 646 783 7161 | customerservice@law360.com

## Wayne Farms Sues LinkedIn Over Imposter Account

By **Craig Clough**

Law360 (September 3, 2020, 6:30 PM EDT) -- Wayne Farms LLC filed suit against LinkedIn in Illinois federal court on Wednesday accusing the social networking site of failing to take appropriate measures to stop an unknown "John Doe" from posing as an employee of the poultry giant and soliciting fraudulent product orders.

Both LinkedIn and the John Doe are named as defendants in the lawsuit, which includes claims against the social media company for contributory fraud and vicarious liability, as well as claims against the "fake" employee, including for federal trademark infringement, dilution and unfair competition.



An allegedly fake LinkedIn account posed as an employee of Wayne Farms and took orders from some of the poultry giant's customers, according to a lawsuit filed in Illinois federal court on Wednesday.

Wayne Farms says it notified LinkedIn several times of the imposter, but the fake account kept popping back up on the site.

"While LinkedIn has nominal terms of service that bar fraud, the tools used by LinkedIn to receive notice of fraud are woefully inadequate and do not provide any feedback, response or other proof that LinkedIn actually investigates the claims of fraud," Wayne Farms said.

Wayne Farms said in the complaint it is one of the largest poultry processing companies in the United States, and that on or about July 20, one of its employees, the "real" Pat Gomez, discovered that someone was impersonating him and contacting customers.

After some investigation, the real Gomez on July 25 found a fake LinkedIn page in his name using the email address patrickwaynefarms@consultant.com, according to the suit.

The fake profile was taken down after Wayne Farms reported it to LinkedIn, but on Aug. 5, the profile popped back up and "remained available on LinkedIn," Wayne Farms said.

Wayne Farms then started to receive inquiries from international buyers about their order status "when in fact no order was placed with Wayne Farms," the company said.

Wayne Farms did not specify in the suit how many fake orders and for what total amount may have been successfully received by the imposter, but it did outline at least four instances where it said the fake Gomez made contact with customers or potential customers of Wayne Farms. The fake Gomez account contacted a customer of Wayne Farms as recently as Monday, the company said, when the John Doe solicited a company in northern Illinois.

"LinkedIn was notified on multiple occasions of the fake Pat Gomez profile uploaded by John Doe but failed to adequately investigate, knew of the fraud and despite being put on notice repeatedly, continued to enable John Doe to use its service to promote his fraud," the company said in the complaint. "LinkedIn continued, however, to take advantage of all of its marketing advantages by hosting John Doe's fake Pat Gomez profile and information."

Wayne Farms is seeking unspecified damages, among other things, and for the John Doe account contents with LinkedIn to be seized and frozen, and for the bank accounts used by John Doe to be frozen and their contents transferred to Wayne Farms.

Wayne Farms and LinkedIn did not immediately respond to requests for comment.

Wayne Farms is represented by David C. Brezina and Boris Umansky of Ladas & Parry LLP.

Counsel for LinkedIn and John Doe could not be immediately identified.

The case is Wayne Farms LLC v John Doe et al., case number 1:20-cv-05191, in the U.S. District Court for the Northern District of Illinois.

--Editing by Jay Jackson Jr.